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**PATENT**

Attorney Docket No. 04109.0004.NPUS01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Vladimir Matena, et al.

Serial No.: 10/774,207

Filing Date: 6 February 2004

Title: ***Method and Apparatus for Online Transaction Processing***

Group Art Unit: 3627

Examiner: Not Yet Known

CERTIFICATE OF MAILING

I hereby certify that the within correspondence and any listed enclosures are being deposited with the United States Postal Service in two sealed boxes with sufficient prepaid first-class postage thereon, said boxes addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on December 14, 2004.

Signed

*Christy O'Connell*  
Christy O'Connell

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Listed on the accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 CFR §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior

art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that had been cited by or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. (1138 OG 37, 38 (May 19, 1992).)

Applicants have checked the appropriate boxes below.

- ☒ 1. This Information Disclosure Statement is being filed;
- ☐ a. Within three months of the U.S. filing date of a national application other than a continued prosecution application under §1.53(d);
  - ☐ b. Within three months of the date of entry of the national stage as set forth in §1.491 in an international application;
  - ☒ c. Before the mailing date of a first Office Action on the merits;
  - ☐ d. Before the mailing of a first Office Action after filing of a request for continued examination under § 1.115.

No statement under 37 CFR § 1.97(e) or fee is required.

OR

- ☐ 2. This Information Disclosure Statement is being filed after the period specified in paragraph 1(a)-1(d) above, but before the mailing date of a Final Rejection or Notice of Allowance, or action that otherwise closes prosecution in the application, and
- ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR § 1.97(e)(1), or
  - ☐ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart

foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR § 1.97(e)(2), or

- ☐ c. Attached is our Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ in payment of the fee under 37 CFR § 1.17(p).
- ☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but on or before payment of the Issue Fee. Attached is our Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ in payment of the fee under 37 CFR § 1.17(i), and
- ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR § 1.97(e)(1), or
- ☐ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR § 1.97(e)(2).
- ☐ 4. Relevance of the non-English language document(s) is discussed in the present specification.
- ☐ 5. The document(s) was/were cited in a corresponding foreign application. An English language version of the foreign search report is attached for the Examiner's information.

☐ 6. A concise explanation of the relevance of the non-English language document(s) appears below:

☒ 7. The Examiner's attention is directed to co-pending U.S. Patent Application No. 10/800307, filed 12 March 2004, which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.

☐ 8. Copies of the documents were cited by or submitted to the Office in Application No. \_\_\_\_\_, filed \_\_\_\_\_, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 CFR § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

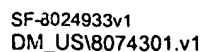
The U.S. Patent and Trademark Office is hereby authorized to charge any additional fees that may be due, including extension fees, or credit any overpayment, to our Deposit Account No. 08-3038 (our Order No. 04109.0004.NPUS01).

Respectfully submitted,

HOWREY SIMON ARNOLD & WHITE, LLP

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT***(use as many sheets as necessary)***Complete if Known**

Application Number	10/774,207
Filing Date	February 6, 2004
First Named Inventor	Vladimir Matena
Group Art Unit	3627
Examiner Name	Not Yet Known
Attorney Docket Number	04109.0004.NPUS01

Sheet

of

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	1	BEA WebLogic Server 7.0 Overview – The Foundation for Enterprise Infrastructure (February 1, 2002)	
	2	The NDB Cluster – A parallel data server for telecommunications applications (Ericsson Review No. 4, 1997)	
	3	WebLogic Server 7.0, Failover and Replication in a Cluster (October 2002)	
	4	Sun Microsystems Java Data Objects Version 1.0.1 (May 2003)	
	5	TelORB – The distributed communications operating system by Lars Hennert and Alexander Larruy (Ericsson Review No. 3, 1999)	
	6	Microsoft Windows Server 2003 Introducing the ".NET" in the Windows Server 2003 Family (July 2002)	
	7	Robustness to Crash in a Distributed DataBase: A Non Shared-Memory Multi-Processor Approach by Andrea Borr (Singapore, August, 1984)	
	8	Clustering Technologies, In Memory Session Replication in Tomcat 4 by Filip Hanik (The ServerSide.com)	
	9	A NonStop Kernel by Joel F. Bartlett (June 1981)	
	10	IBM WebSphere Application Server, Version 5.0.2, Getting Started (July 14, 2003)	
	11	IBM WebSphere Application Server, Version 5, Servers (November 13, 2002)	
	12	IBM WebSphere Application Server, Version 5, Servers (July 21, 2003)	
	13	IBM WebSphere Application Server Network, Deployment, Version 5 (November 21, 2002)	
	14	IBM WebSphere Application Server, Version 5, Servers (July 21, 2003)	
	15	IBM WebSphere Application Server Network, Deployment, Version 5.0.2, Servers (July 22, 2003)	
	16	BEA WebLogic Server and WebLogic Express, Programming WebLogic HTTP Servlets (June 28, 2002)	
	17	BEA WebLogic Server, Using WebLogic Server Clusters (October 20, 2003)	
	18	BEA WebLogic Server, Using WebLogic Server Clusters (October 20, 2003)	

19	IBM WebSphere Application Server, Version 5, Getting Started (November 20, 2002)	
20	IBM WebSphere Application Server Network, Deployment, Version 5, Getting Started (November 20, 2002)	
21	Sun Microsystems Java Data Objects, Version 1.0 (March 25, 2002)	
22	IBM WebSphere Application Server, Version 5.0.2, Getting Started (July 14, 2003)	
23	IBM WebSphere Application Server, Version 5.0.2, Applications (July 31, 2003)	
24	Sun Microsystems Enterprise JavaBeans Specification, Version 2.1 (August 2, 2002)	
25	BEA WebLogic Server, Programming WebLogic Enterprise JavaBeans (September 2, 2002)	
26	Sun Microsystems, Enterprise JavaBeans Specification, Version 2.1 (August 2, 2002)	
27	IBM WebSphere Application Server Network Deployment, Version 5, Applications (November 21, 2002)	
28	IBM WebSphere Application Server, Version 5, Applications (November 21, 2002)	
29	BEA WebLogic Server, Programming WebLogic Enterprise JavaBeans (April 8, 2004)	
30	IBM WebSphere Application Server Network Deployment, Version 5.0.2, Getting Started (July 14, 2003)	

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.*